

**MACON COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
MARCH 10, 2020
MINUTES**

Chairman Tate called the meeting to order at 6:00 p.m. and welcomed those in attendance. All Board Members, County Manager Derek Roland, Deputy Clerk Mike Decker, Finance Director Lori Carpenter, County Attorney Chester Jones, members of the news media and interested citizens were present. Due to the size of the audience, Chairman Tate announced that the board would recess the meeting for approximately five to 10 minutes and reconvene in Courtroom A on the fourth floor of the Macon County Courthouse. Upon a motion by Commissioner Gillespie, seconded by Commission Beale, the board voted unanimously to recess the meeting at 6:01 p.m. and reconvene in Courtroom A.

Chairman Tate reconvened the meeting in Courtroom A at 6:08 p.m., where it was standing room only with a number of citizens standing outside the courtroom doors in the hallway. Chairman Tate welcomed those in attendance and announced that the board had a rather lengthy agenda, and noted that an effort was being made to bring as many people inside the courtroom as possible.

PUBLIC HEARING: Chairman Tate stated that the agenda called for a public hearing to be held at 6 p.m., and he opened the public hearing at 6:10 p.m. and stated that the purpose for the hearing, as publicly noticed, was to receive public comment on the reaffirmation and re-establishment of an appropriate and verifiable ten percent (10%) goal for participation by minority businesses in the total value of work for Macon County building projects under the provisions of North Carolina General Statute 143-28.2, and the reaffirmation, re-establishment and amendment of the county's Minority Business Outreach Plan. Mr. Jones further explained the need for the county to update the plan and allow the public the opportunity to speak concerning it. Chairman Tate said no one signed up to speak, and he closed the public hearing at 6:13 p.m. Upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to approve a "Resolution Confirming Minority Business Participation Goal for Macon County, North Carolina & Minority Business Outreach Plan Macon County, North Carolina" as presented, a copy of which is attached **(Attachment 1)** and is hereby made a part of these minutes.

ANNOUNCEMENTS: Commissioner Beale said he and others had met recently with the president of AT&T regarding broadband, adding that the AT&T official had agreed to come and meet with the Southwestern Commission about this issue. He also said that North Carolina was one of several states that had rejected an offer of \$18 billion over 18 years to settle opioid lawsuits. Commissioner Beale also noted that the Balsam Place behavioral health facility will close. Chairman Tate said he had received correspondence regarding the state of parking lots at some of the county's voting precincts, a topic that would be further discussed at the board's April regular meeting. He also said he had received numerous letters about the amount of trash on the sides of the roads, primarily on US 64 between Franklin and Highlands and NC 106 between Highlands and Dillard, Georgia, and this would be discussed in April as well. Chairman Tate then noted the loss of the county's Assistant Information Technology Director Lynn Wright, who died on February 23rd following a vehicle accident.

MOMENT OF SILENCE: Chairman Tate asked those in attendance to observe a moment of silence.

PLEDGE TO THE FLAG: Led by Sheriff Robert Holland, the pledge to the flag was recited.

PUBLIC COMMENT PERIOD: Chairman Tate pointed out that he had four full pages of names of those who had signed up to speak during the public comment period. He asked that those speaking remember to practice civil discourse and to limit their comments to three minutes in length. He said the board members would do their best to listen and understand, and noted that as chairman, he tended to be "very lenient" with the time limit, although Mr. Roland would be tasked with being the timekeeper. He conclude by reminding those speaking to address the board and not the audience.

NOTE: Due to the number of speakers and the length of their comments, these minutes will reflect the basic theme of their viewpoint in as concise a manner as possible.

Donnie Holden said he had gained 573 new names on a petition in support of making Macon County a "Second Amendment Sanctuary County," bringing the total to 1,957. Mr. Holden reviewed the steps leading to his comments tonight, including his meeting with Commissioners Higdon and Gillespie on March 6th to review a redraft of his proposed resolution. He also commented on the proposed resolution drafted by Mr. Jones. He stated that Commissioners Higdon and Gillespie told him they would support the final version of his resolution, and he added that some members of the board and Sheriff Holland "never had any intention" of seeing his resolution pass. He claimed the resolution prepared by Mr. Jones was "not worth the paper it's printed on."

Chris Browning described the board's consideration of the second amendment resolution as "a sham from the very beginning" and further stated that Mr. Holden has not been shown the respect he deserves.

Karen Duncan said there is no way the founding fathers could have foreseen what weapons have become, and that the Second Amendment doesn't guarantee an individual the right to "do whatever with a gun." She asked the board not to declare Macon County a Second Amendment Sanctuary County.

Henry Sheldon asked the board to replace the arts program in the county school system.

Amberly Downs said she is an artist who has never had formal training, but pays her bills "with what I learned from Macon County Schools." She asked the board to consider more funding for arts programs in the schools.

Kathryn Shields-Holmes told the board she is a licensed clinical mental health specialist, and said that for some students, due to mental health concerns, they don't engage in education, but for others, art and music are outlets and can be used "as a means to heal." She implored the board to consider more funding for arts education in the schools.

Billy Love, the director of education and outreach at The Bascom in Highlands, a center for the visual arts, said that arts education helps to develop essential creative skills, adding that it is essential that we provide our students with "well rounded learning opportunities" to help them be competitive in the modern workforce.

Olga Lampkin first told the board that she strongly supported funding for the arts, adding there is a "vast range of benefits" from this, and urged the board to work with school officials to fund some art education positions. She then read a letter from her mother, Olga Pader, asking the board not to vote in favor of the Second Amendment resolution, stating that it was an attempt by gun activists to make an issue where one doesn't exist. She said a sanctuary is a place of refuge, and the resolution doesn't make our place safer.

Brian Moffitt, who described himself as a proud graduate of Macon County Schools and an educator, said he was here for all students to ask for funding for arts education. Saying that middle school is one of the most challenging times of life, he told the board he feels that arts are imperative for kids "to learn who they are." As an example, he pointed to Cory Asbury, a 2004 graduate of Franklin High School, who wrote a song called "Reckless Love," which was nominated for a Grammy Award in 2019.

John Brunner told the board he was a pastor at Resurrection Lutheran Church, and with almost 70 years of choral experience, he wanted to speak in favor of funding for arts education.

Sara O’Neal said she has been a teacher for 20 years, 15 of those as an art teacher. She asked the members of the audience to “stand up if you’re here for art in schools,” and many in the capacity crowd did so. She said Macon Middle School has been with art education for 10 years, adding that students need art and the community needs art, and asked the board for more funding to provide it. She then read a letter from Jeannie Edwards of Highlands, who said that “art changed my life” and wished that her love of art had been fostered in school instead of being snubbed out, adding that she now considers herself one of the lucky ones.

Heidi Ramey expressed her thankfulness that our forefathers put in the Second Amendment for us and that it must be upheld for all.

Ed Morris said there are times “you don’t have the right to a gun,” and spoke of two incidents that took place during his career as a doctor. He talked about the need for backgrounds checks for those who want to purchase guns, and stated that those checks do not take place at gun shows. He asked why taxpayer dollars were allowed to be used to have gun shows at county facilities.

Jim Taylor, a school counselor at Macon Middle School, noted there is no arts program at the school, which has 650 students. He said it is natural for youth to express themselves in artistic ways, and he also noted he is the only counselor at the school.

Rebecca Horowitz described herself as a proud Franklin-born, Cullasaja-educated commercial artist. She requested that the board take a serious look at funding arts education in the schools, adding that students “deserve art education now, and the county deserves what these children have to offer.”

Beverly Barnett, the director of the Mountain Voices community chorus, told the board how important art and music education are, especially for brain development. She said music training promotes a variety of learning experiences, and “with all the pressures on children today,” it is important that they benefit from this.

Tim Dills said the Second Amendment right to bear arms shall not be infringed, and added that all that the supporters of the resolution are asking is for the county not to use its resources to “go against us” if the federal government imposes restrictions on that right. “We want you to have our backs like you want

us to have yours at election time,” he told the board. “Have our backs like we do yours.”

Lee Berger thanked the board for placing a resolution regarding retired North Carolina school personnel on the agenda, and told the board members “we have to have your support.”

Steve Sellers said, “I hope everyone here can agree that the Constitution is the supreme law of the land.” He asked the board members to “support the will of the people and uphold the Constitution.”

Marvin Mason said he was a resident of Burningtown and had lived in Macon County for 67 years, and he was a 31-year member of the National Rifle Association. He asked the board to “vote this resolution in” for future generations and those who stand for the Second Amendment.

Roy Hurst stated that “gun shows are paid by us who go to them,” and said background checks are done at gun shows. He went on to add that “gun free zones” are the targets that bad guys choose, as there is a multitude of targets with no opposition, and he said these areas have the highest rates of gun violence. “Bad guys will get a gun,” he said.

Dave Hurd told the board, “I want to protect our rights.” He said that gun safety is primary, and that gun control is a totally different issue. “Freedom does not come in our bloodstreams,” he said. He also spoke of former Soviet leader Nikita Khrushchev’s comment that he would “destroy [America] from within,” adding that Adolph Hitler made Germany “safe by taking the guns away.”

Bob Scott explained that he was “representing only myself,” and not speaking as the Mayor of the Town of Franklin. He told the board he was familiar and qualified with guns, was a certified handgun instructor and had been a gun-carrying officer. However, he voiced his concerns over the county becoming “a gun sanctuary,” fearing it would have long-lasting, unintended consequences. Adopting the resolution “would not be good for us,” he said.

Hazel Norris asked the board to support the resolution regarding the Second Amendment sanctuary, telling the board that “It’s about our rights our forefathers fought for,” adding that 78 other North Carolina counties had already passed similar resolutions.

Patty Page said she was also here to voice her support for the Second Amendment sanctuary. “What’s happening in Virginia right now is the beginning of a slippery slope,” she said, adding that some of the places with the toughest

gun laws have the highest crime rates. Criminals do not obey the law, she said. "We are speaking," she concluded. "We are here to stand up."

April McNiff voiced her support for the arts and for additional funding for art education, saying that children need inspiration. She also told the board that she was in favor of a sales tax increase to support the school system.

Cliff Williams told the board he was a Swain County resident who had come to "make a comment or two." He said the Second Amendment is an individual right and that gun shows are not the "freewheeling" events they were in the past.

Frank Smith III said he was president of the Macon County Art Association. He said it is very critical for the junior high age group to have access to art education and the "wonderful transformations" that stem from it. He also noted he was an advocate for "extending the contribution from the county to the arts."

Ronnie Dills waved his arm around the courtroom and told the board "we are the militia in the state of North Carolina." He said he wanted the board members "to back up the law," unlike in Virginia, and to support the Constitutional right to bear arms.

Stan Polanski urged the board to work to find "a reasonable middle ground" on the Second Amendment issue, and to seek a combination of community harmony and public safety.

Sue Waldroop gave a lengthy discourse on her family's history in Macon County, and told the board she never lived in a house that didn't have guns. While she learned to shoot at the age of 12 and enjoyed target shooting, "we never had anything bigger than a 30-30. I don't know why anybody wants anything bigger." She asked the board to consider who might come to Macon County to claim sanctuary.

Bob Burke of Macon New Beginnings spoke of helping the homeless in Macon County, noting that the organization counted a total of 71 homeless individuals in the county in late January. He said the organization has helped more than 1,123 people and has spent more than \$188,000. He said he would be sending the county a "proposal" in the near future.

Steve Midgett spoke briefly about the arts, then told the board he was in opposition to the Second Amendment resolution, saying it "increases the polarization of issues" and that is the opposite of what is needed on this matter. He said that gun ownership and gun violence are "intimately connected" and as long as there are mass shootings, there will be a conversation about it. He urged the board to seek common sense solutions, to find common ground and to "lead in that regard."

Maggie Jennings, who addressed the board in February, told the members, “I adore and respect you for listening to us.” She said the county would be receiving a request from the county board of education to replace art education teaching positions in the school system, and asked that the commissioners make plans now to allot additional funding.

MaryAnn Ingram explained that she wanted to address two issues, the first being the need for gravel for the parking lot at the Sugarfork voting precinct, stating that voters “had to slop through the mud to get in to vote.” As to the Second Amendment resolution, she said “what I hear from individuals is fear.” She told the board members that she trusted them to do the right thing, adding, “I know you are going to abide by the Constitution.”

Meghan Partain, who also addressed the board in February, said the lack of arts education in the county school system “should be an outrage.” She stated it should not be considered extracurricular, and is needed at all levels in the system. She asked the board to “please lend whatever support you can.” As to the Second Amendment issue, she said that approval of the resolution would “shine a negative light on Macon County.”

Sheriff Robert Holland told the commissioners he hoped all five of them would take the opportunity to let people know he did not interfere in the Second Amendment sanctuary resolution issue. He said the resolution that was presented last month would have died on a 4-1 vote and that he “wanted to make sure we had a good conversation” about it. He again stated he was opposed to taking his oath of office again, but was “thrilled” to see so many citizens at a board meeting voicing their opinions.

At the close of the public comment period at 8:47 p.m., Chairman Tate told the audience that he wished the board “had a never ending stream of money to fund everything,” and that none of the board members wanted to jump to any decision on the Second Amendment resolution issue. He reminded the board that “government goes slowly some times.”

Chairman Tate declared a recess at 8:49 p.m.

Chairman Tate called the meeting back to order at 8:58 p.m.

ADDITIONS, ADJUSTMENTS TO AND APPROVAL OF THE AGENDA: Upon a motion by Commissioner Gillespie, seconded by Commissioner Beale, the board voted unanimously to approve the agenda as adjusted, as follows:

- To add under New Business Item 11D(2) – approval of funding for the proposal from Ritter Architecture, P.A. for architectural services for the new locker room building at Macon Middle School, per Mr. Roland.
- To hold a closed session if time allows, per Mr. Jones.
- To table Item 9A(2), an announcement regarding the new Health Director, until April, per Mr. Roland.

During this time, Commissioner Beale reminded those in the audience that Vietnam Veterans Day would be held on March 28th.

Also during this time, Commissioner Higdon thanked those in attendance for coming to the meeting, and speaking to those in favor of funding for arts education, he said the board dispenses funding for the Board of Education to use, and that it is not the commission’s job to approve the curriculum. He said art is a very vital program, but stated that “this board had nothing to do with the elimination of that.”

Reports/Presentations

INFORMATION/UPDATE REGARDING CORONAVIRUS: Interim Public Health Director Carmine Rocco updated the board with the latest information on the Coronavirus, also referred to as COVID-19. He said this virus has “far reaching implications for us,” adding that seven cases have been reported in North Carolina, most of them in the central part of the state, with no cases reported in Macon County. He also noted that Gov. Roy Cooper on this date declared a state of emergency in North Carolina due to the virus. Mr. Rocco told the board he is working closely with Macon County Schools Superintendent Dr. Chris Baldwin, and at this time there is no expectation of closing any schools, but planned field trips could become an issue. At this point, he said the state and the federal Centers for Disease Control and Prevention (CDC) are providing recommendations. He said the high risk individuals are those age 65 and older with underlying health conditions, and they are being advised to avoid large groups of people. He said visits to long-term care facilities should also be restricted. He told the board it is very important to stress to citizens that if they are sick, to not attend events or work. Proper hand-washing is very important, he said, along with common sense approaches. He said health department staff is “working on the best medical advice we have” and he wants the public to be cautious and prepared. He asked those that have questions to call the health department and to not “act on rumor.” He addressed the differences between an epidemic and a pandemic, and also between being isolated and being quarantined. With the school system’s spring break coming, he advised residents that if they were planning on traveling to another country or another state, if they are exposed to the Coronavirus, they and their family members would be asked to self-quarantine at home for 14 days upon return. In closing, he said the health department currently has three Coronavirus test kits. Jennifer Garrett, the Director of Nursing at Macon County Public Health, then

reviewed her prepared PowerPoint presentation regarding COVID-19, a copy of which is attached (Attachment 2) and is hereby made a part of these minutes. She quickly stated a “disclaimer” that this is a rapidly evolving situation and the recommendations will change. She presented information on coronaviruses in general, pointing out that routine cleaning and disinfection procedures are appropriate for COVID-19. She reported on what is known about the virus and which states are currently affected. She noted the governor has created a task force to address the issue. She outlined the qualifications regarding the need to be tested, noting it is not recommended for “asymptomatic” persons. She covered information on those at higher risk, those in adult congregate living facilities and recommendations for mass gatherings and for travelers. She also outlined what individuals can do to prevent the spread, and what the health department is doing to get ready. Commissioner Beale asked her a question regarding exposure, and she replied that it can occur when you have been within six feet or more of an infected individual for more than 10 minutes. No action was necessary.

UPDATE FROM U.S. FOREST SERVICE PLAN ADVISORY COMMITTEE: Jim Gray, who was tasked by the commissioners on February 11th with forming the Macon County Forest Advisory Committee, gave the board an update on the committee’s work. He provided the board with a written report, a copy of which is attached (Attachment 3) and is hereby made a part of these minutes. Mr. Gray briefly addressed the membership of the committee and pointed out that 46 percent of the county’s land area is national forest, so Macon has a “huge stake” in the 2020 Draft Management Plan for the Nantahala National Forest. He said the committee is reviewing thousands of pages of documents and needed good maps, which Macon County GIS Analyst Wes Hall provided. He said the draft plan has numerous land classifications, including Interface, Matrix, Backcountry, Wilderness, Special Interest Areas and Old Growth, and he explained what each meant. The plan contains four alternatives (A, B, C and D) and he touched briefly on those. He said the committee has met twice and will meet weekly going forward if possible. He told the board he hoped the committee could present a draft recommendation at the commission’s April regular meeting and then a final report at the board’s May 12 regular meeting, as the county must file comments no later than May 14, 2020. Chairman Tate thanked Mr. Gray for a “fantastic job of keeping us informed,” and Commissioner Beale asked that outdoor recreation needs to be more represented in the plan and to consider adding another member – “someone from the business side” – to the committee. No action was taken.

UPDATE ON ELECTION ACTIVITY AND REPORTING PROCESS: Kathy Tinsley, the chair of the Macon County Board of Elections, gave the commissioners an update following the March 3 primary election, which she told the board “went really well.” She started by saying that moving the one-stop

voting from the county courthouse to the Robert C. Carpenter Community Building allowed for easier voter access with more parking, more voting booths and less wait time. Aside from some “uploading times” involving precinct reporting, she noted the results in the 11th Congressional District will lead to a runoff election on May 12 between Republican contestants Lynda Bennett and Madison Cawthorn. She described “one regrettable incident” in which a request for an absentee ballot that was made by email was deemed invalid,” with Ms. Tinsley noting that, “We really want everyone to vote.” Following brief comments by Commissioner Beale and Chairman Tate, no action was taken.

Old Business

SECOND AMENDMENT RESOLUTION: Chairman Tate provided a “quick history” of the events that have transpired since January regarding a resolution that would declare Macon County a Second Amendment Sanctuary County. Following that, Commissioner Higdon said there are two opposing views, and while there may be the “grand idea” that that could “come together,” he said it will not happen. He described the draft resolution that he and Commissioner Gillespie worked on with Donnie Holden as “a very simple resolution” and that it “should be easy to proudly stand up and support this.” He said he thought the three had come to a reasonable agreement and the word “sanctuary” was removed from the resolution. Mr. Holden interjected that “we want a vote on this,” and Commissioner Higdon said he was prepared to make a motion to support it. Mr. Holden stated again that he and his supporters “want a vote on what we settled on on Friday night.” Chairman Tate moved to restore order, as many in the audience were speaking. He told the audience that we are all in support of the Constitution, but the problem with the resolution is in the “semantics.” He reminded the board members that any one of them could make a motion at any time, and Commissioner Beale suggested that each board member be allowed to speak. Commissioner Shields said he and Mr. Holden had spoken a number of times and he was pleased that the word “sanctuary” has been taken out, but he had concerns over the final two paragraphs of the resolution Mr. Holden had presented. He said he felt like with his oath of office as a commissioner and other state statutes, there was a conflict with the resolution, “and I cannot support it.” Commissioner Beale said the board has “a real opportunity tonight to do something special” but also noted that the county is “an arm of the state.” He voiced his disagreement with the comment that the resolution prepared by Mr. Jones was not worth the paper it was written on. He then read the oath that each commissioner takes, and said the members must abide by that oath. He told the audience that if you read Mr. Jones’ version of the resolution, it is “good for both sides.” He went on to say that what the board could do tonight is to support the entire Constitution, and to make sure that this board doesn’t encumber future boards. “We’ve got to come to a middle ground, and the county attorney has brought us to a middle ground,” he said.

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Commissioner Beale and Chris Browning then exchanged words regarding Mr. Browning's "sham" comment earlier in the meeting. Commissioner Gillespie said his perspective was a little different. He said this board asked one individual to draft a resolution, adding that the meeting with Mr. Holden was "great" and they went through the resolution "word by word and line by line" and discussed objectives. He said there were two paragraphs that raised concerns, but that Mr. Holden felt those were "the meat of the resolution," and without them, it was not worth having. He said if that resolution fails, then the board has the one prepared by Mr. Jones to consider, adding that this one "protects the commissioners." He told the other board members that we need to go through the process on Mr. Holden's version first. Chairman Tate, noting that he does not like these divisive issues in our county, said he would likely make both groups mad and said he could honestly support both resolutions. "I'm a staunch Second Amendment supporter," he said, and added, "I don't think I could support either resolution without the county attorney's blessing." Chairman Tate and then Commissioner Gillespie had questions for Mr. Jones regarding both of the proposed resolutions, which he addressed in turn, and during this time, there were multiple conversations taking place. Mr. Jones told the board that he had concerns with the way in which the resolution brought forth by Mr. Holden was worded, and said it would leave the commissioners "wide open." From the audience, Mr. Holden said, "We are right back where we were three months ago," and after further conversation, told the board, "If you want to vote it down, vote it down." At that, Commissioner Higdon made a motion to "recommend the one we worked out Friday night, and if it fails it fails and we move on." Commissioner Gillespie seconded the motion, and then Mr. Jones read the resolution submitted by Mr. Holden into the record, a copy of which is attached **(Attachment 4)** and is hereby made a part of these minutes. Commissioner Higdon stated that his motion applies to the resolution that Mr. Jones read. During discussion, Commissioner Beale told the board members that "if we use [the county attorney's] we won't have to go through this again." Commissioner Beale asked Commissioner Higdon if he had read the one prepared by Mr. Jones, and Commissioner Higdon indicated he had, but that he was not "greatly challenged" as stated in that version. "It's a simple issue for me," he said, and then called the question. Before the vote, Chairman Tate said, "I hate to see this fail over two sentences." The motion failed 3-2, with Chairman Tate, Commissioner Beale and Commissioner Shields voting against it, and Commissioner Higdon and Commissioner Gillespie voting for it. Then Commissioner Beale made a motion to approve the version prepared by Mr. Jones, and Commissioner Shields seconded the motion, and it passed 4-1 with Commissioner Higdon opposing. A copy of that document, entitled, "Resolution Fully Supporting and Maintaining the 2nd Amendment to the United States Constitution as Well as the Entire United States Constitution and the Laws of the United States and the Entire North Carolina Constitution and the Laws of

the State of North Carolina Which Are Not Inconsistent Therewith,” is also attached (Attachment 5) and is hereby made a part of these minutes.

RESOLUTION REGARDING NORTH CAROLINA RETIRED SCHOOL PERSONNEL: Commissioner Beale read into the record a “Resolution for Support of a Request to the NC General Assembly for a Two Percent Cost of Living Adjustment for North Carolina Retired Teachers to be Included in the FY 2019-2020 NC State Budget.” A copy of that document is attached (Attachment 6) and is hereby made a part of these minutes. Commissioner Shields made a motion to approve the resolution as read, seconded by Commissioner Beale. During discussion, Commissioner Higdon told Lee Berger, “It’s not a good night for resolutions, Lee.” While he said he appreciated her as a retired educator, he said “we [the board] don’t tell Raleigh about the line-item budget,” adding that was also not his role as an individual. He said he would support a resolution urging the governor and the General Assembly to end the budget impasse. Commissioner Gillespie asked Mr. Jones if he had reviewed this resolution, and Mr. Jones responded that he had not studied it carefully, and that it would be this board simply telling the legislature it is supportive of this issue. The resolution passed 4-1, with Mr. Higdon opposing.

New Business

RESOLUTION RECOGNIZING SENIOR CENTER VOLUNTEERS: Following comments from Jennifer Hollifield, the Administrative Officer at Macon County Senior Services, and upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to approve a “Resolution in Recognition of Macon County Crawford Senior Center Volunteers,” a copy of which is attached (Attachment 7) and is hereby made a part of these minutes.

COMMUNITY FUNDING POOL RECOMMENDATIONS: Diane Cotton, a member of the Community Funding Pool Task Force, presented the group’s second round of funding recommendations, which would award a total of \$31,286 to seven projects. A list of those recommendations is attached (Attachment 8) and is hereby made a part of these minutes. This award, combined with the first cycle, brings the total funding pool allocation to \$75,000 as budgeted. Upon a motion by Commissioner Shields, seconded by Commissioner Beale, the board voted unanimously to approve the recommendations as presented.

REJECTION OF REQUEST FOR PROPOSALS: Following a brief explanation from Mr. Roland, and upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to reject Request For Proposals (RFP) 01-5110p for Automated Computer System for the Dental Program of Macon County’s Public Health Department, as the submissions did not meet the requirements of the proposal.

MACON MIDDLE SCHOOL: (1) Resolution exempting architectural services for proposed locker room building: Mr. Jones explained that the county could consider this resolution, as the anticipated cost of the services is expected to be approximately \$34,000, and he recommended that the board do so. Upon a motion by Commissioner Shields, seconded by Chairman Tate, the board voted unanimously to approve a “Resolution Exempting Architectural Services for Proposed Locker Room Building at the Macon Middle School from the Provisions of Article 3D of Chapter 143 of the North Carolina General Statutes,” a copy of which is attached (Attachment 9) and is hereby made a part of these minutes.

(2) Proposal from Ritter Architecture, P.A. for architectural services for the locker room building: Mr. Jones explained that a copy of the proposal was in the board’s agenda packet, adding it would need to be approved along with the accompanying budget amendment. Upon a motion by Commissioner Shields, seconded by Commissioner Beale, the board voted unanimously to approve the proposal as submitted, a copy of which is attached (Attachment 10) and is hereby made a part of these minutes. Also attached (Attachment 11) is a copy of a budget amendment that appropriates \$35,000 from the general fund balance for architect fees for the Macon Middle School locker room facility, and it is hereby made a part of these minutes.

(3) Reimbursement resolution for Middle School project: Following a brief explanation by Mrs. Carpenter, and upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to approve a “Reimbursement Resolution for Macon Middle School Project – Authorizing the County to Reimburse Itself for Early Project Expenditures from Later Financing Proceeds.” A copy of the resolution is attached (Attachment 12) and is hereby made a part of these minutes, and allows the county to reimburse itself an expected maximum amount of \$15.3 million.

DISCUSSION REGARDING ONE-QUARTER CENT COUNTY SALES AND USE TAX: Mr. Jones briefly discussed the pertinent state statutes as they relate to the county enacting a one-quarter cent county sales and use tax. He pointed out that the board can’t just approve it, and that it must be given to the citizens to approve in a referendum. As elections are expensive to run, he noted the board, if it chose to do so, would likely want to put the item on the November general election ballot so as to avoid a special election. As this would be an additional ballot item, he encouraged the board to start this process pretty quickly. He said that if enacted, the tax would go into the county’s general fund, and that it cannot be earmarked and cannot be put on the ballot in such a way. Future boards cannot be bound by how this board uses the tax revenue, as each board would bind it one year at a time by passing a budget. Commissioner Beale said he was disappointed that it cannot be earmarked, and Mrs. Carpenter said she could not project the amount of revenue it would provide due to a lack of data. Mr. Jones said the purpose of the discussion tonight was that, if the board wanted to pursue this, he could embark upon preparing the necessary

paperwork for consideration at the board's April regular meeting. He said the board could agree by consensus to move forward and no vote was need tonight. Mrs. Carpenter noted that 42 North Carolina counties have this tax, and if it passed in November of this year, it would take effect April 1, 2021.

OFFER TO PURCHASE REAL PROPERTY (REED ESTATE): Mr. Jones explained he had drafted an offer to purchase the Reed Estate, a parcel that adjoins property owned by the county near its Buck Creek Road recreation area. The offer is for \$60,000, with Mr. Jones noting there is an old mobile home on the property that is somewhat of a liability. Chairman Tate said he would like to state for the record that securing this parcel "ties the property together" with the other county-owned tract and this is something the county has been watching. It was noted the agreement would require a deposit of \$500. Commissioner Beale made a motion to authorize Chairman Tate, Mr. Jones and Mr. Roland to pursue the contract and to approve the deposit, and to authorize Chairman Tate to sign the contract. Commissioner Shields seconded the motion, and it was unanimously approved. An unexecuted copy of the "Agreement for Purchase and Sale of Real Property" is attached **Attachment 13** and is hereby made a part of these minutes.

CONSENT AGENDA: Upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to approve the consent agenda as presented, which includes: (A) the minutes of the February 6, 2020 continued session and the February 11, 2020 regular meeting; (B) budget amendment **#190** for Public Health to allocate \$12,388 in additional funding for the family planning program; **#191** for the Juvenile Crime Prevention Council (JCPC) to appropriate \$16,852 in additional JCPC funds received for Mountain Mediation Services – Restorative Options; **#192** for Maintenance to appropriate \$2,200 from an insurance settlement; **#193** for Transit to appropriate an additional \$27,484 in revenue from a Fiscal Year 2020 ROAP grant; and **#194** for the Sheriff's Department to transfer \$3,064 from an insurance settlement for vehicle repairs; (C) to approve tax releases for the month of February in the amount of \$6,593.00; (D) to approve Macon County Board of Health approved write-offs of \$1,500 in uncollected amounts billed and (E) received the monthly ad valorem tax collections report, for which no action was necessary. The report shows a 96.17 percent collection rate.

APPOINTMENTS: (1) Planning Board: Upon a motion by Commissioner Gillespie, seconded by Commissioner Beale, the board voted unanimously to appoint Ben Ledford to serve on the Macon County Planning Board, replacing Joe Deal. Term of appointment is for three years. **(2) Airport Authority:** Upon a motion by Commissioner Gillespie, seconded by Commissioner Beale, the board voted unanimously to appoint Janet Shuler to the Macon County Airport Authority, replacing Miles Gregory. Term of appointment is for six years. **(3)**

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Library Board: Upon a motion by Commissioner Higdon, seconded by Commissioner Shields, the board voted unanimously to reappoint San Ho Choi to another term on the Macon County Public Library Board of Trustees. Term of appointment is for three years.

CLOSED SESSION: At 11:28 p.m., upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to go into closed session for the purpose of preserving the attorney-client privilege under NCGS 143-318.11(a)(3) and to discuss matters relating to the location of expansion of industries or other businesses in the area served by the public body under NCGS 143-318.11(a)(4). At 11:39 p.m., upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to come out of closed session and return to open session. No action was taken.

RECESS: With no other business, and at 11:41 p.m., upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to recess the meeting until Monday, March 23, 2020 at 3 p.m. in the commission boardroom on the third floor of the Macon County Courthouse, located at 5 West Main Street, Franklin, NC 28734.

Derek Roland
Ex Officio Clerk to the Board

Jim Tate
Board Chairman